
**Z-1854
ROSE LLC & 450 E LLC
BREN BELLA, PHASE TWO
FINAL DETAILED PLANS
RESOLUTION PD06-10**

**STAFF REPORT
13 July 2006**

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BACKGROUND:

On 19 May 1999, APC, by a vote of 11 yes - 1 no, recommended approval of a reclassification from A to PDMX for 345.2571 acres of land fronting on CRs 350E, 450E, 600S and 700S in Wea Township (Sections 25E and 26W, 22-4). The Board of County Commissioners rezoned the site on 7 June 1999.

In the 1999 proposal, petitioner, with consent of owners, gained approval for a request to rezone 345.2571 acres from A to PDMX for a mixed use development that would include:

- an 18-hole golf course,
- the first phase of residential development with 103 detached single-family homes,
- a 10-unit bed and breakfast with a restaurant,
- common space for visual and recreational amenities and sanitary effluent treatment, and
- expansion areas for future single-family residential development, about 200 lots.

In late 2000 petitioner received approval of two resolutions, PD 00-09 construction plans (for lots 1-71) and PD 00-10 final plat, phase 1, part 1 (for lots 1-29 & 58-71).

In May 2004 the property changed owners when it was sold at Sheriff's auction to Rose LLC and 450 E LLC. Prior to purchasing, the new owners discussed with staff the future of this project at which time they expressed doubt that the golf course could be built. Staff outlined what had been approved for construction and the limits of change possible without adoption of a new planned development. The final plat, under review in this case, represents the first requested alteration to the project by the new owners. Lot 72 contains an existing house that was to have become a Bed & Breakfast with restaurant. APC staff and legal counsel agree that, in the absence of an 18-hole golf course, petitioner's desire to turn the B&B into a single family residential use, albeit less intense, is not only appropriate but consistent with the approved land uses found in the adopted preliminary plan.

Petitioners' Final Detailed Plans, consist of final plat only. The conditions of approval necessary for this phase have been met. No public improvements are included therefore no bonding is required.

STAFF RECOMMENDATION:

Approval of Resolution PD 06-10

RESOLUTION PD 06-10

WHEREAS Preliminary Plans for ***Bren Bella, Phase Two***, are approved as part of Z-1854, with 5 conditions attached; and

WHEREAS all conditions of approval necessary for Final Plat have been met; and

WHEREAS UZO 2-27-12-a-2 states that minor modifications approvable by the Administrative Officer “cannot include: any increase in residential ***density***; any decrease in residential ***density*** of 10% or more; any change in ***building*** dimension or location other than within the defined building envelope; any change in ***lot lines***; any change in landscaping other than substitution of species or redesign with the same materials; any alteration in the size and/or location of signage; any change in type of land ***use***; any change in the alignment or intersection of ***streets***; or any change in restrictive covenants, or horizontal property ownership and owners' association documents regarding these items”; and

WHEREAS the Area Plan Commission Staff finds these Final Detailed Plans to conform to the Approved Preliminary Planned Development as adopted and passed by the Board of County Commissioners on 7 June 1999 2005.

NOW THEREFORE BE IT RESOLVED that the Area Plan Commission of Tippecanoe County, after Staff examination of the Final Detailed Plans submitted for ***Bren Bella, Phase Two***, does hereby find them to conform to the Approved Preliminary Planned Development Z-1854 as adopted and passed by the Board of County Commissioners.

GARY W. SCHROEDER, PRESIDENT

SALLIE DELL FAHEY, SECRETARY

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